

June 24, 2008

**FROM:** KEITH BERGTHOLD, Assistant Director  
Planning and Development Department

**BY:** DARRELL UNRUH, Planning Manager *DU*  
Planning Division

**SUBJECT:** CONSIDERATION OF THE REPEAL OF THE OFFICIAL PLAN LINE FOR  
WEST GETTYSBURG AVENUE OFFICIAL PLAN LINE BETWEEN NORTH  
GRANTLAND AND NORTH GARFIELD AVENUES (OPL NO. 111)

AGENDA ITEM NO.  
COUNCIL MEETING 6/24/08

APPROVED BY  
*[Signature]*  
DEPARTMENT DIRECTOR

CITY MANAGER

### KEY RESULT AREA

One Fresno

### RECOMMENDATION

1. REAFFIRM the finding of the Mitigated Negative Declaration for Environmental Assessment No. R-07-12/T-5864/C-07-252, dated January 30, 2008, and adopted by the Fresno City Council on March 25, 2008.
2. APPROVE the request to grant the revocation of the West Gettysburg Avenue Official Plan Line (OPL 111) between North Grantland and North Garfield Avenues.

### EXECUTIVE SUMMARY

The Director of the Fresno City Planning and Development Department on behalf of The McCaffrey Group has initiated this application for the revocation of the Official Plan Line for West Gettysburg Avenue (OPL 111) between North Grantland and North Garfield Avenues. The Official Plan of Streets and Highways as adopted and affirmed continue in force as a specific plan and part of the General Plan of the City.

### KEY OBJECTIVE BALANCE

Council action regarding this proposed land use application optimizes the three Key Objectives of Customer Satisfaction, Employee Satisfaction, and Financial Management. Affirmative action by the Council will result in timely deliverance of the review and processing of the application as is reasonably expected by the applicant/customer. Prudent financial management is demonstrated by the expeditious completion of this land use application inasmuch as the applicant/customer has paid to the city a fee for the processing of this application and that fee is, in turn, funding the operations of the Planning and Development Department. Employee satisfaction is derived from the fact that the professional and technical staff, who have reviewed and made a recommendation on this land use application, have done so in a thorough and professional manner, thereby enhancing the sense of accomplishment in the completion of the application process.

### REVOCATION OF THE WEST GETTYSBURG AVENUE OFFICIAL PLAN LINE

As stated above, the Planning and Development Department Director has initiated the revocation of the West Gettysburg Avenue Official Plan Line (OPL 111), a local street, between North Grantland and North Garfield Avenues. The Fresno City Council during the development of the 1984 General Plan determined that the exclusive right-of-way for the Southern Pacific Railroad, Biola spur should

be reserved for transportation purposes and adopted Ordinance No. 87-64, and made West Gettysburg Avenue between North Motel Drive and North Garfield Avenue a part of the Official Plan Line of Streets and Highways. The OPL was approved for a 60-foot right-of-way between North Motel Drive and North Cornelia Avenue and between North Polk Avenue and North Garfield Avenue. The OPL required an 84-foot collector street right-of-way between North Cornelia Avenue and North Polk Avenue.

In adopting the 2025 Fresno General Plan, the City Council approved a collector street designation as part of circulation element between North Grantland and North Garfield Avenues along the south side of the site of Tentative Tract Map No. 5864. The plan also amended the North Grantland Avenue alignment north of the Gettysburg OPL to turn east and connect to North Veterans Boulevard. Adoption of the circulation element eliminated the need for the West Gettysburg Avenue local street between North Grantland and North Garfield Avenues. However, an amendment to the OPL was not processed. Though the proposed subdivision abuts the Gettysburg OPL, none of the require right-of-way is within the boundary of the tentative map.

The Assistant Director of Public Works Department, Scott Mozier, agrees that with the adoption of the new collector street, as part of the 2025 General Plan, between North Grantland Avenue and North Garfield Avenue the West Gettysburg Avenue Official Plan Line should be revoked west of North Brian Avenue. This request, however, is only for the area between North Grantland and North Garfield Avenues.

The McCaffrey Group requested that Vesting Tentative Tract Map No. 5864 be processed prior to completion of the OPL revocation process. Article 7 of Chapter 12 of the Fresno Municipal Code, Official Plan Lines, Streets and Highways, provides that the street and highway design of any division of land shall be based upon and conform to any applicable official plan line. The tentative map was approved by the Planning Commission on February 20, 2008, in conformance with the OPL. Further, all building setback lines were measured from the official plan lines as set forth on the maps and after the effective date of said maps.

The proposed project is designed with lots backing along the antiquated Gettysburg Avenue alignment official plan line (vacated railroad alignment). This is the preferred design for Vesting Tentative Tract Map No. 5864 and related Conditional Use Permit Application No. C-07-252 as the residential properties existing to the north are developed with large lots which also back onto this old alignment. The future most appropriate disposition of the remaining vacant linear parcel (formerly the Biola Branch railroad alignment) would to merge it into the large lot properties to the north. A second alternative might be to designate it as a trail alignment through a plan amendment. Development of such a regional feature would be dependent upon programming its costs into the city-wide parks and open space fee.

The conditions of approval of the tentative subdivision map provided that, should the City Council not approve the revocation of the Gettysburg Avenue OPL prior to final map is approved, this street will be constructed along the north side of the subdivision. These alternative conditions also provide for the dedication of a 10-foot landscape easement along West Gettysburg Avenue, waiver of direct access to said street, and the construction of a 6-foot solid masonry wall at the rear of the landscape strip. The conditions provide that the subdivider shall obtain street right-of-way from the owner of the linear parcel and construct the curb, gutter, sidewalk and street pavement. The conditions also provide that the subdivider shall install any sewer, water or other street improvements that would be required if the street is constructed. The developer is also required to provide securities of all the improvements related to the West Gettysburg Avenue OPL should the revocation not be granted. The subdivider has agreed not to proceed with the final map approval and recordation prior to the City Council decision on the revocation of the Gettysburg OPL.

Property owner of parcels located within 500 feet of this segment of the Gettysburg Official Plan Line have been notified of the Planning Commission and the City Council hearings regarding the proposed revocation.

### **Fresno City Planning Commission**

This project was considered by the Fresno City Planning Commission at its regular meeting held on June 4, 2008.

The Planning Commission, after considering the testimony and information provided and after a full and complete hearing, voted 3 yes and 3 no with one absent to recommend approval to the Fresno City Council for the subject revocation of the West Gettysburg Avenue OPL between North Grantland and North Garfield Avenues. The tie vote is a recommendation to not approve the revocation. Those voting no on the motion had several concern about the future use of the 60 foot by 1320 foot parcel owned by Mr. Vito Chimienti.

Mr. Vito Chimienti purchased the entire railroad right-of-way from Southern Pacific Railroad in April of 1992. The property is 60 feet wide and extends form North Golden State Boulevard to North Garfield Avenue (approximately 2.6 miles) and consisted of ten parcels. The right-of-way has been developed with public street is several location where residential development have occurred. The area from Golden State Boulevard to State Route 99, is developed with industrial uses and the Chimienti parcels remain unimproved. The area between State Route 99, which includes an under pass under the freeway, to North Cornelia Avenue is developed with multi-family residential on the north and single family lots which backup to the Gettysburg OPL on the south. The Chimienti parcels in this area remain unimproved.

Between North Cornelia Avenue and North Polk Avenue, only the west half of the OPL has been developed with public street. The east half which is bounded by a Fresno Metropolitan Flood Control District ponding basin on the north and rural residential on the south is unimproved.

From North Polk Avenue to North Hayes Avenue the Chimienti parcels have been developed with public street and is bounded on the north by single-family residential and a public school. The south is also bounded by single-family residential.

The segment of the Gettysburg Avenue alignment between North Hayes Avenue and North Bryant Avenue is unimproved, but will be improved with Vesting Tentative Tract Map No. 5891, with a local residential public street. The McCaffrey Group will be required to obtain a right-of-way from Mr. Chimienti.

The segment between North Hayes Avenue and North Grantland Avenue is owned by Mr. Frank Chimienti and is locat in the county. It is assumed the Mr. Frank Chimienti obtain the parcels from Mr. Vito Chimienti some time after 1992. Mr. Frank Chimienti owns 76 acres of agricultural land on the north side of the Gettysburg alignment on the west half of this segment. On the north side of the east half of this segment are 7 rural residential parcels locate in the County. The south side is the Central Unified School District school and stadium site. The School District did not obtain right-of-way from Mr. Frank Chimienti.

Mr. Frank Chimienti's 76 acres is the location of the Veteran's Boulevard super arterial intersection with North Grantland Avenue and West Gettysburg Avenue. The City or a developer in this area will need to obtain public street right-of-way from Mr. Frank Chimienti for Veteran's Boulevard, the Grantland connection to Veteran's Boulevard and for the West Gettysburg Avenue connection from

North Bryant Avenue to Veteran's Boulevard. The portion of the parcel between the Gettysburg connection the Veterans Boulevard and Veterans Boulevard is planned for a City Fire Station. The remainder of Mr. Frank Chimienti's property is planned for Commercial and Medium Density Residential land uses.

The segment of the West Gettysburg alignment between North Grantland Avenue and North Garfield Avenue is still owned by Mr. Vito Chimienti and is unimproved. The North Grantland Avenue right-of-way south of the Gettysburg alignment is proposed for vacation. The section of the Grantland Avenue right-of-way conflicts with Veteran's Boulevard and must be vacated north of where Veteran's connects into the existing North Grantland Avenue.

### **Alternative Use of the Chimienti Parcels Between North Grantland and North Garfield Avenues**

The parcel of land located on the south side of the subject segment of the official plan line will be developed by The McCaffrey Group and Grandville Homes. Both developers do not want the Gettysburg OPL developed with a local residential street and they will be developing the collector street adopted with Fresno 2025 General Plan with their projects. This collector street connects North Garfield Avenue with Veteran's Boulevard in an appropriate location approved by Public Works Department.

Three of the property owners of rural residential parcels located on the north side of the subject segment of the official plan line also expressed, by telephone, that they were not interested in a local residential street being developed at the rear of their properties. They did show some interest in obtaining an additional 60 feet from Mr. Chimienti to their property through the lot line adjustment process. If Mr. Chimienti's property is annexed to the City of Fresno the lot line adjusted between the City property and the County property could not occur because the City does not have jurisdiction over County parcels. The same would be for the County.

The City of Fresno could acquire the parcel from Mr. Chiemienti and use it for a multi-purpose trail or as landscape open space. The trail use, however, would require the City to amend the general plan and the master trails plan to designate the property for a multi-purpose trail.

The existing North Grantland Avenue right-of-way between the Gettysburg OPL and the Grantland connection to Veteran's Boulevard is proposed to be vacated to West Rialto Avenue and retained as local cal-de-sac street to the Gettysburg OPL. Right-of-way for West Rialto Avenue would be required for a local connection to the new Grantland Avenue to the northeast. Should the Council decide to not revoke this segment of the Gettysburg OPL the local Grantland Avenue could knuckle at the Gettysburg Avenue alignment and turn to the west, becoming the West Gettysburg Avenue locale street which would continue to North Garfield Avenue.

Staff has not received any contact from Mr. Vito Chimienti nor did he appear at the Planning Commission hearing for which he was sent a notice. The only person from the public speaking at the hearing was Mr. Poeschel, representing the McCaffrey Group and Mr. Roberts representing Grandville Homes.

### **CONCLUSION**

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the West Area Community Plan, any Specific Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been

evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that revocation of the Gettysburg OPL between North Grantland and North Garfield Avenues is appropriate.

Attachments:        Planning Commission report dated June 4, 2008.  
                         Public Works Department Memo dated July 17, 2007.  
                         Vicinity Map  
                         Exhibit A, OPL 111 map between North Grantland and North Garfield Avenues  
                         Exhibit B, 2005 Aerial Photograph of Site  
                         Exhibit C, OPLs, Canals and City Limits  
                         Exhibit D, Proposed Vesting Tentative Tract Map No. 5864 dated February 20,  
                         2008  
                         Environmental Assessment No. R-07-12/T-5864/C-07-252 dated January 30,  
                         2008, and approved by the City Council on March 25, 2008.  
                         Planning Commission Resolution No.  
                         Ordinance to repeal the current OPL for West Gettysburg Avenue between  
                         North Grantland Avenue and North Garfield Avenue.





## **PUBLIC WORKS DEPARTMENT**

July 19, 2007

TO: Darrell Unruh, Planning Manager

FROM: Scott Mozier, PE, Assistant Director

SUBJECT: Revocation of Official Plan Line for Gettysburg Avenue between Garfield Avenue and Bryan Avenue

The Public Works Department has reviewed the issues pertaining to Tentative Tract Map 5864 along the south side of the Gettysburg alignment west of Grantland Avenue and Veterans Boulevard. The 2025 General Plan circulation element depicts an alignment of Gettysburg Avenue to the south of the old railroad alignment, as shown by the proposed T-5864. There is an adopted Official Plan Line for Gettysburg Avenue that does not match the more recently adopted 2025 General Plan. Furthermore, the Official Plan Line for Veterans Boulevard (formerly known as the Grantland-Herndon Diagonal) is in conflict with the older Gettysburg OPL.

Based on our review of these issues and after some consultation with the engineer for the developer of T-5864, we have concluded that the most straightforward approach would be a revocation of the OPL west of Bryan Avenue.

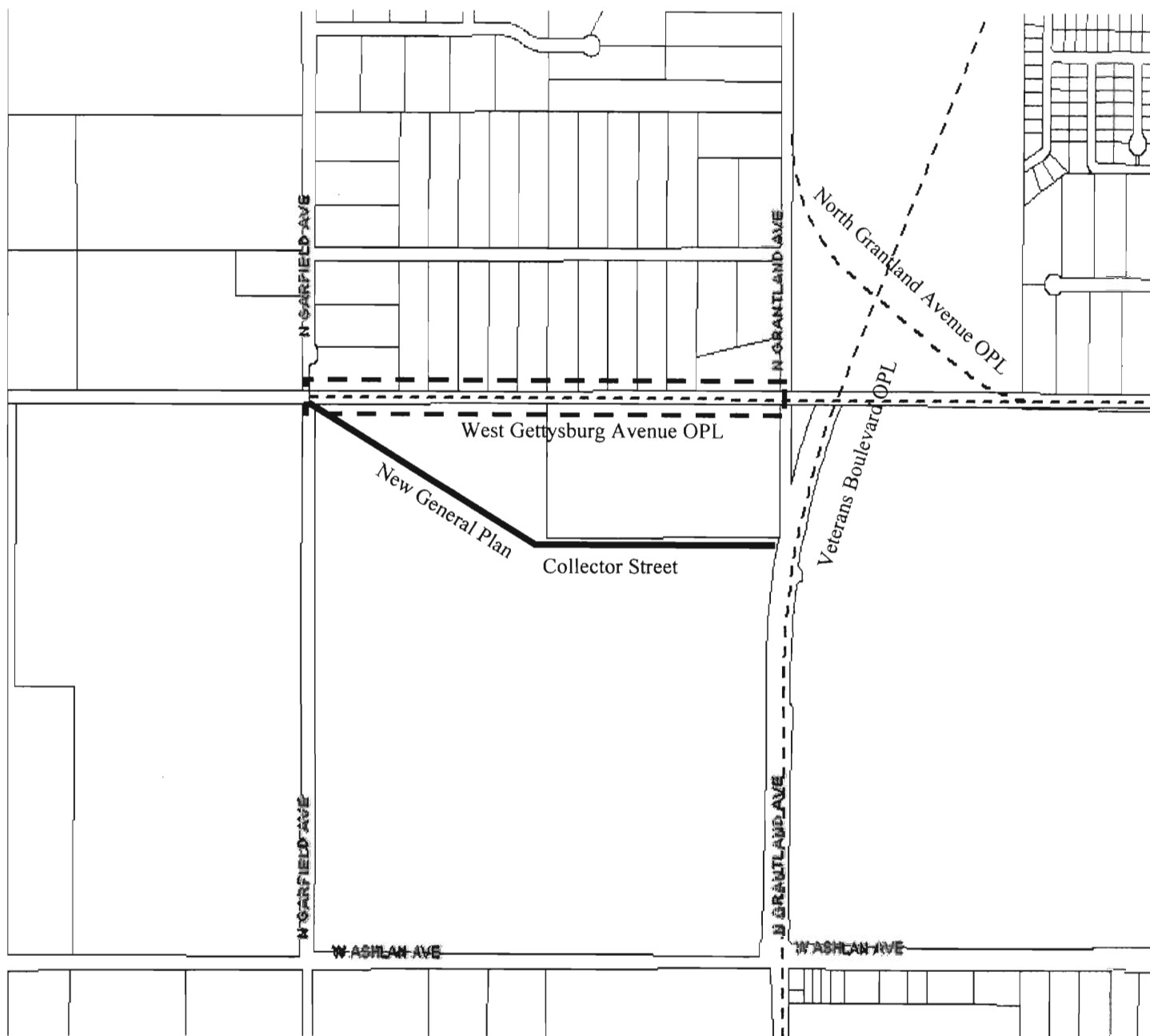
Public Works is glad to assist with any supporting narrative needed for the staff reports to Planning Commission and City Council. However, it is my understanding that the staff in Planning and Development is much more familiar with the required public noticing and that Planning would take the lead with the overall process.

Please feel free to contact me at 621-8811 with any questions. Thank you.

c: Robert Lewis, Supervising Planner  
Alan Kawakami, Chief Engineering Technician  
Bryan Jones, TE, Traffic Engineering Manager  
Louise Gilio, Supervising Engineering Technician  
Gary Witzel, Chief Engineering Technician  
Alan James, Supervising Engineering Technician  
Jim Polsgrove, Supervising Engineering Technician







SUBJECT OPL ALIGNMENT

## VICINITY MAP

REPEAL OF THE WEST GETTYSBURG  
AVENUE OFFICIAL PLAN LINE BETWEEN  
NORTH GRANTLAND AVENUE AND  
NORTH GARFIELD AVENUE

## PLANNING AND DEVELOPMENT DEPARTMENT



A.P.N. 512-010-33S

ZONE MAP : 2043

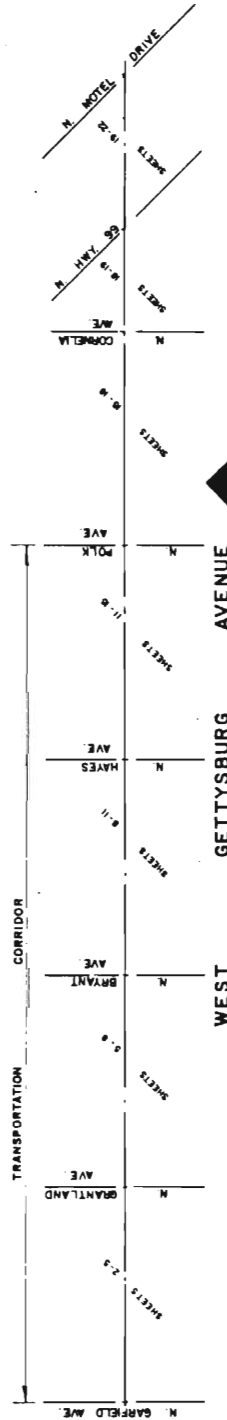
BY/DATE : RCL/4/2/08



# OFFICIAL PLAN LINES

OF WEST GETTYSBURG AVENUE  
BETWEEN NORTH GARFIELD AVENUE AND NORTH MOTEL  
DRIVE

THIS MAP CONSTITUTES PART OF THE GENERAL PLAN LINES OF THE CITY OF FRESNO, AND IS FILED IN THE VOLUME ENTITLED  
"OFFICIAL PLAN LINES - CITY OF FRESNO" IN THE DEVELOPMENT  
DEPARTMENT



WE HEREBY CERTIFY THAT THIS MAP OF OFFICIAL  
PLAN LINES WAS ADOPTED BY THE CITY OF FRESNO  
ON THE 2<sup>ND</sup> DAY OF 11<sup>TH</sup> 1987 BY  
ORDINANCE NO. 111-11 ADOPTED PURSUANT TO  
ARTICLE 7 OF CHAPTER 12 OF THE FRESNO  
MUNICIPAL CODE.



*Wale Daig*  
MAYOR  
*Salvador Salas - Sanchez*  
CITY CLERK

INSTRUMENT NO. 111-11 FILED AND RECORDED AT  
THE REQUEST OF THE CITY OF FRESNO THE 14<sup>TH</sup>  
DAY OF 11<sup>TH</sup> AT 4<sup>TH</sup> MINUTES PAST 4:00 P.M.  
AND RECORDED IN VOLUME 7 OF PRECISE PLANS AT  
PAGE 111-11 FRESNO COUNTY RECORDS  
GALEN LARSEN, COUNTY RECORDER

BY *Heather Minerva*

I, THE UNDERSIGNED, CITY ENGINEER OF THE CITY  
OF FRESNO, CALIFORNIA HEREBY CERTIFY THAT  
I HAVE EXAMINED THE OFFICIAL PLAN LINES DELINEATED  
ON THIS MAP AND I AM SATISFIED THAT THIS MAP IS  
TECHNICALLY CORRECT

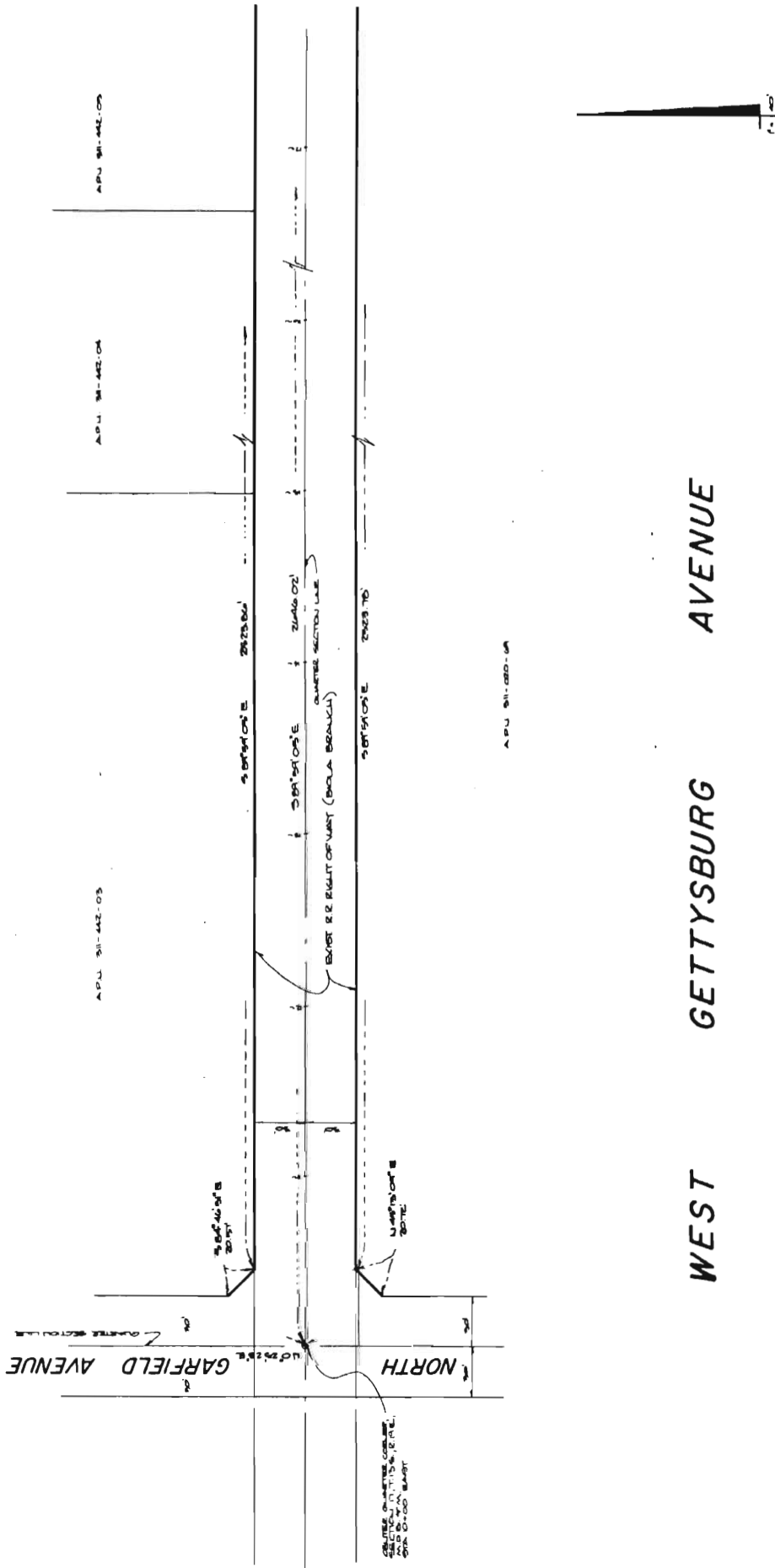
*M. Johnson*  
CITY ENGINEER

DATE 6/5/87

WE HEREBY CERTIFY THAT THIS MAP CONSTITUTES  
A PART OF THE OFFICIAL PLAN LINE OF STREETS  
AND HIGHWAYS BEING A PART OF THE MASTER PLAN  
OF THE CITY OF FRESNO, CALIFORNIA, ADOPTED BY  
THE PLANNING COMMISSION OF SAID CITY BY  
RESOLUTION NO. 111-11 AT A MEETING HELD ON THE  
2<sup>ND</sup> DAY OF 11<sup>TH</sup> 1987 AND CARRIED BY  
THE AFFIRMATIVE VOTE OF THE MAJORITY OF  
THE TOTAL MEMBERSHIP OF SAID COMMISSION

*Abra Parkam*  
CHAIRMAN  
*Alvin P. Siler*  
SECRETARY

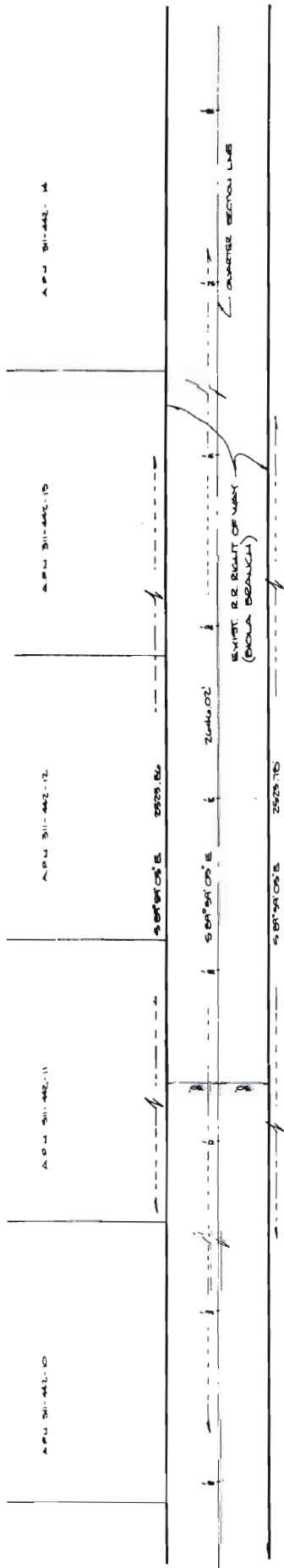




# OFFICIAL PLAN LINES

## WEST GETTYSBURG AVENUE





A.P.U. 311-020-04

WEST GETTYSBURG AVENUE



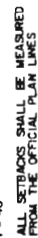
ALL SETBACKS SHALL BE MEASURED FROM THE OFFICIAL PLAN LINES

# OFFICIAL PLAN LINES

WEST GETTYSBURG AVENUE

## LEGEND

- OFFICIAL PLAN LINE BOUNDARY
- - - EXISTING PROPERTY LINE
- - - CENTERLINE OR SECTION LINE



# OFFICIAL PLAN LINES

WEST GETTYSBURG AVENUE

## LEGEND

LEVEL

----- OFFICIAL PLAN LINE BOUNDARY  
----- EXISTING PROPERTY LINE  
----- CENTERLINE OR SECTION LINE

SHEET. 5 OF 22



## EXHIBIT B

### AERIAL PHOTOGRAPH REPEAL OF WEST GETTYSBURG AVENUE OPL BETWEEN NORTH GRANTLAND AND NORTH GARFIELD AVENUES



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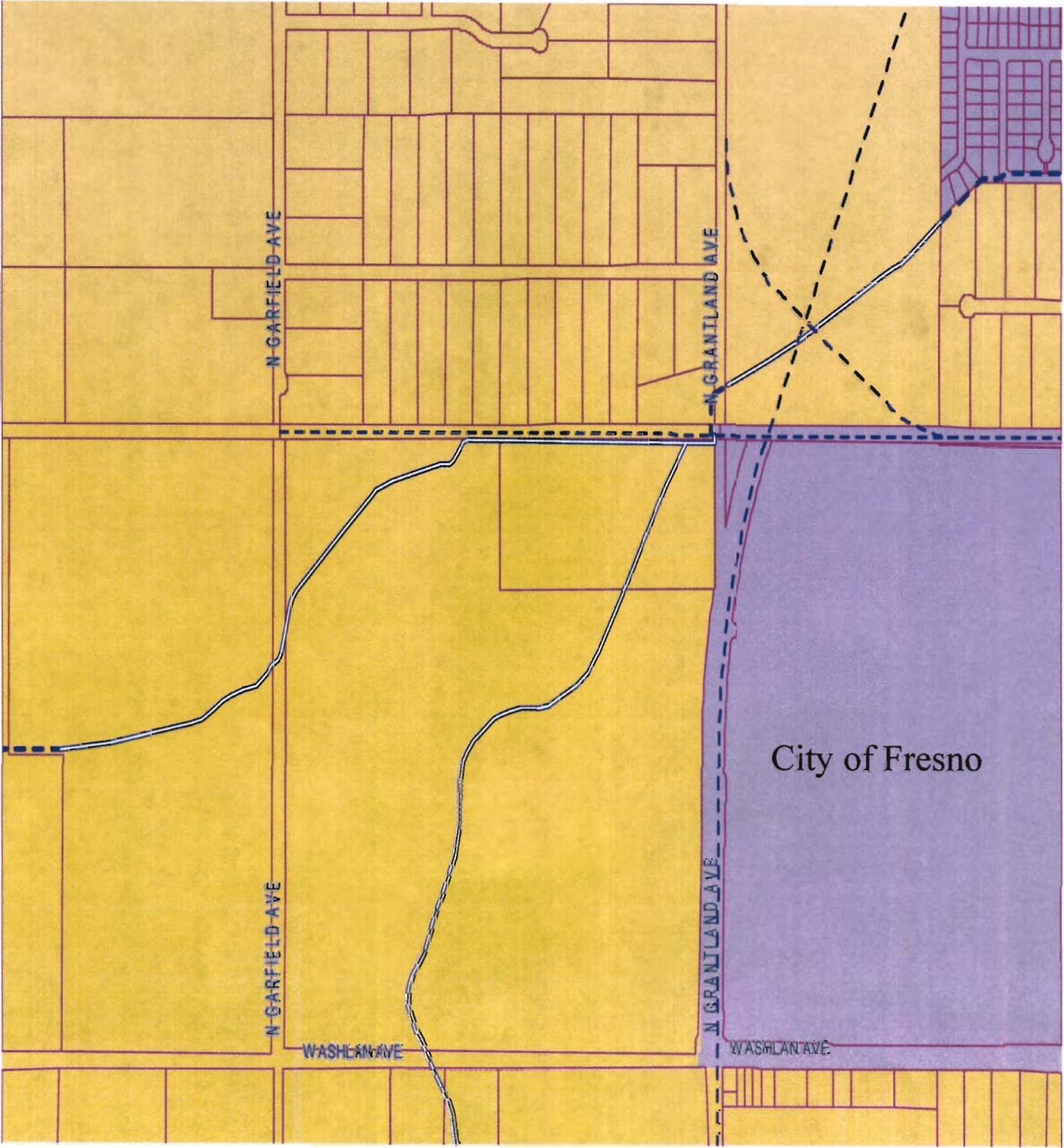


EXHIBIT C

CITY LIMITS

O. P. Ls

CANALS











## CITY OF FRESNO MITIGATED NEGATIVE DECLARATION

FILED

JAN 30 2008

FRESNO COUNTY CLERK  
By *Stacey Warrick*  
DEPUTYInitial Study is on file in the Planning and  
Development Department, City Hall  
2600 Fresno Street, Fresno, California 93721  
(559) 621-8277Environmental  
Assessment Number:  
R-07-12, T-5864,  
C-07-252APPLICANT:  
The McCaffrey Group, Inc  
7020 North Van Ness Boulevard  
Fresno, California 93711Assessor's  
Parcel Number:  
512-021-25

**PROJECT DESCRIPTION AND LOCATION** Rezone Application No. R-07-12, Vesting Tentative Tract Map No. 5864 and Conditional Use Permit No. C-07-252 pertain to approximately 18.61 acres of property located on the west side of N. Grantland Ave. between the W. Gettysburg and W. Ashlan Avenue alignments. Rezone Application No. R-07-12 proposes to reclassify the subject site from the AE-20 (*Exclusive 20 Acre Agricultural, [County]*) zone district to the R-2/UGM (*Low Density Multiple Family Residential/Urban Growth Management*) zone district, while Vesting Tentative Tract Map proposes a 122 lot single family residential subdivision. The applicant has also filed a conditional use permit application proposing reduced lot sizes and setbacks and common open space for the subdivision. In addition, the project proposes the revocation of the W. Gettysburg Ave. alignment official plan line (OPL) and a vacation of a portion of N. Grantland Ave. adjacent to the project site. Development of this property requires completion of annexation of the subject property to the City of Fresno, including detachment from the North Central Fire Protection District and the Kings River Conservation District, actions which are under the jurisdiction of the Fresno Local Agency Formation Commission.

Filed with:

COUNTY CLERK  
2221 Kern Street  
Fresno, California 93721

The proposed project has been evaluated with respect to each item on the attached environmental checklist. This completed checklist reflects comments of any applicable responsible agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the Environmental Assessment Application, the checklist, and any attachments to the checklist, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the California Environmental Quality Act.

Any rating of "2" on the checklist indicates that a specific adverse environmental effect has been identified in a category which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project or may be related to the design and characteristics of the individual project. Effects rated in this manner are not sufficient in themselves to require the preparation of an Environmental Impact Report and/or have been mitigated to the extent feasible.

All new development activity and many non-physical projects contribute directly or indirectly toward a cumulative impact on the physical environment. The incremental effect contributed by this project toward such a cumulative effect is not considered substantial in itself.

The proposed project is not expected to result in any significant adverse effects in terms of the factors considered on the environmental checklist, including any such factors for which minor effects have been identified. Cumulative effects of a significant nature are also not expected. The proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. The finding is therefore made that the proposed project will clearly not have a significant adverse effect on the environment.

This Mitigated Negative Declaration will be deemed final and effective if no appeal is filed in the manner specified by Section 12-505 of the Fresno Municipal Code.

INITIAL STUDY PREPARED BY: Robert Lewis

DATE: January 30, 2007

SUBMITTED BY:

  
 Darrell Unruh, Planning Manager  
 PLANNING AND DEVELOPMENT DEPARTMENT

**ENVIRONMENTAL ASSESSMENT (EA) CHECKLIST**  
**POTENTIAL ENVIRONMENTAL EFFECTS**  
**EA NO.R-07-12, C-07-252, T-5864**

<u>1</u>	<b>1.0</b>	<b><u>TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS</u></b>	<u>1</u>	<b>11.0</b>	<b><u>URBAN SERVICES</u></b>
<u>1</u>	1.1	Geologic hazards, unstable soil conditions	<u>1</u>	11.1	Availability of fire protection
<u>1</u>	1.2	Adverse change in topography or ground surface relief	<u>1</u>	11.2	Lack of emergency vehicle access
<u>1</u>	1.3	Destruction of unique geologic or physical features	<u>1</u>	11.3	Adequacy of design for crime prevention
<u>1</u>	1.4	Increased water erosion	<u>1</u>	11.4	Overcrowding of school facilities
			<u>1</u>	11.5	Availability of water mains of adequate size
			<u>1</u>	11.6	Availability of sewer lines of adequate capacity
			<u>1</u>	11.7	Availability of storm water drainage facilities (on or off site)
<u>2</u>	<b>2.0</b>	<b><u>AIR QUALITY</u></b>	<u>1</u>	11.8	Availability of adequate park and recreation areas
<u>1</u>	2.1	Substantial indirect source of pollution	<u>1</u>	11.9	Unusually high solid waste generation
<u>1</u>	2.2	Direct on-site pollution generation			
<u>1</u>	2.3	Generation of objectionable odors	<b>12.0</b>	<b><u>HAZARDS</u></b>	
<u>1</u>	2.4	Generation of dust except during construction	<u>1</u>	12.1	Risk of explosion or release of hazardous substances
<u>1</u>	2.5	Adverse local climatic changes	<u>1</u>	12.2	Site subject to flooding
			<u>1</u>	12.3	Adverse change in course of flow of flood waters
<b>3.0</b>	<b><u>WATER</u></b>		<u>1</u>	12.4	Potential hazards from aircraft accidents
<u>1</u>	3.1	Insufficient ground water available for long-term project use	<u>1</u>	12.5	Potential hazards from landfill and/or toxic waste sites
<u>1</u>	3.2	Use of large quantities of ground water			
<u>1</u>	3.3	Wasteful use of ground water	<b>13.0</b>	<b><u>AESTHETICS</u></b>	
<u>1</u>	3.4	Pollution of surface or ground water supplies	<u>1</u>	13.1	Obstruction to public or scenic vista or view
<u>1</u>	3.5	Reduction in ground water recharge	<u>1</u>	13.2	Creation of aesthetically offensive conditions
			<u>1</u>	13.3	Removal of street trees or other valuable vegetation
<b>4.0</b>	<b><u>PLANT LIFE</u></b>		<u>1</u>	13.4	Architectural incompatibility with surrounding area
<u>1</u>	4.1	Reduction of the numbers of any unique, rare or endangered species			
<u>1</u>	4.2	Reduction in acreage of agricultural crop	<b>14.0</b>	<b><u>HISTORICAL / ARCHAEOLOGICAL</u></b>	
<u>1</u>	4.3	Premature or unnecessary conversion of prime agricultural land	<u>1</u>	14.1	Removal of historic building, disruption of archaeological site
			<u>1</u>	14.2	Construction or activity incompatible with adjacent historic site
<b>5.0</b>	<b><u>ANIMAL LIFE</u></b>				
<u>1</u>	5.1	Reduction in the numbers of any rare, unique or endangered species	<b>15.0</b>	<b><u>ENERGY</u></b>	
<u>1</u>	5.2	Deterioration or displacement of valuable wildlife habitat	<u>1</u>	15.1	Use of substantial amounts of energy or fuel
			<u>1</u>	15.2	Substantial increase in demand upon existing sources of energy
<b>6.0</b>	<b><u>HUMAN HEALTH</u></b>		<u>1</u>	15.3	Wasteful use of energy
<b>7.0</b>	<b><u>NOISE</u></b>				
<u>2</u>	7.1	Increases in existing noise levels			
<u>1</u>	7.2	Exposure to high noise levels			
<b>8.0</b>	<b><u>LIGHT AND GLARE</u></b>				
<u>1</u>	8.1	Production of glare which will adversely affect residential areas			
<u>1</u>	8.2	Exposure of residences to high levels of glare			
<b>9.0</b>	<b><u>LAND USE</u></b>				
<u>1</u>	9.1	Incompatibility with adopted plans and policies			
<u>1</u>	9.2	Acceleration of growth rate			
<u>1</u>	9.3	Induces unplanned growth			
<u>1</u>	9.4	Adverse change in existing or planned area characteristics			
<b>10.0</b>	<b><u>TRANSPORTATION AND CIRCULATION</u></b>				
<u>1</u>	10.1	Generation of vehicle traffic sufficient to cause capacity deficiencies on existing street system			
<u>2</u>	10.2	Cumulative increase in traffic on a major street for which capacity deficiencies are projected			
<u>1</u>	10.3	Specific traffic hazard to motorists, bicyclists, pedestrians			
<u>1</u>	10.4	Routing of non-residential traffic through residential area			
<u>1</u>	10.5	Insufficient or poorly located parking			
<u>1</u>	10.6	Substantial increase in rail and/or air traffic			

**EXPLANATION OF RATINGS**

- "0" Insufficient Information**  
Insufficient information is available to determine the potential environmental effects which may result from the proposed project in this category.
- "1" No significant Environmental Effect**  
The proposed project will not have an adverse environmental effect in this category, or any such effect is not substantially unusual or of undesirable magnitude. This rating is also utilized in cases where the category is not applicable to the particular project under consideration.
- "2" Moderate Environmental Effect**  
The proposed project will have an adverse environmental effect in this category, which is of sufficient magnitude to be of specific concern. However, this effect is not substantial enough in itself to require the preparation of an Environmental Impact Report, and is mitigable through project changes and conditions.
- "3" Significant Adverse Environmental Effect**  
The environmental effect identified in this category substantiates in itself or contributes towards a finding that the proposed project has a potentially significant adverse effect on the environment sufficient to require the preparation of an Environmental Impact Report.



CITY OF FRESNO  
PLANNING AND DEVELOPMENT DEPARTMENT

**ENVIRONMENTAL ASSESSMENT - INITIAL STUDY**

JANUARY , 2008

**ENVIRONMENTAL ASSESSMENT No. R-07-12/C-07-252/T-5864**

**Environmental Assessment No. R-07-12, C-07-252, and Vesting Tentative Tract Map No. 5864** has been filed by The McCaffrey Group for 17 acres of property located on the northwest corner of the intersection of the planned West Gettysburg Avenue alignment and North Veterans Boulevard alignment. The Planning and Development Department Director has initiated concurrently with this application a specific plan amendment to provide for the revocation of the official plan line for West Gettysburg Avenue between North Grantland Avenue and North Garfield Avenue. The applicant has also requested with this application the vacation of a portion of North Grantland Avenue between the North Veterans Boulevard alignment and the new connection of North Grantland Avenue to North Veterans Boulevard north of the West Gettysburg Avenue official plan line. **Rezone Application No. R-07-12** proposes to reclassify approximately 17 acres from the AE-5 (County) zone district to the R-2/UGM (*Low Density Multi-Family Residential/Urban Growth Management*) zone district. **Conditional Use Permit No. C-07-252** has been filed to subdivide the subject property for the purposes of an 125-lot, single family residential public street non-clustered planned development with modified property development standards.. **Vesting Tentative Tract Map No. 5864** proposes to subdivide the subject site into a 125-lot subdivision for a single family residential planned development project. Development of this property requires completion of annexation of the subject property to the City of Fresno, including detachment from the North Central Fire Protection District and the Kings River Conservation District, actions which are under the jurisdiction of the Fresno Local Agency Formation Commission.

**BORDERING PROPERTY INFORMATION**

	Planned Land Use	Existing Zoning	Existing Land Use
North	Low Density Residential	<b>R-R (County)</b> (Rural Residential)	Rural Residential
South	Medium Density Residential	<b>AE-20 (County)</b> ( <i>Exclusive Twenty Acre Agricultural District</i> )	Vacant/Agricultural
East	Medium-High Density Residential	<b>(R-1/UGM)</b> (Single-Family Residential/ <i>Urban Growth Management</i> )	High School Stadium
West	Medium-Low Density Residential	<b>AE-20 (County)</b> ( <i>Exclusive Twenty Acre Agricultural District</i> )	Vacant/Agricultural

Staff has reviewed the above-referenced project proposal and consulted with affected agencies and interest groups. The proposed project has been evaluated with respect to the provisions of the adopted 2025 Fresno General Plan (City Council Resolution No. 2002-379) and the corresponding potential adverse environmental impacts, adopted environmental impact mitigation measures and determinations of overriding considerations established by the certification of the related Master Environmental Impact Report (MEIR) No. 10130 (City Council Resolution No. 2002-378). The proposed project, which includes the partial revocation of the West Gettysburg Avenue official plan line and the vacation of a portion of North Grantland Avenue, has been determined to not be fully within the scope of MEIR No. 10130 as provided by the California Environmental Quality Act (CEQA), and as codified in the Public Resources Code (PRC) Section 21157.1(d) and the CEQA Guidelines Section 15177(c).

Based upon an analysis of the project, as summarized in the following environmental assessment initial study, it has been determined that the project may contribute to the creation of certain moderate environmental effects or the project may be adversely impacted by existing conditions as addressed below. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project, together with project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Section 15178(a). Therefore, it has been determined that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of California Environmental Quality Act (CEQA) Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Master Environmental Impact Report No. 10130 examined the potential adverse environmental impacts of implementation of the 2025 Fresno General Plan, which provides plans and policies to accommodate projected population and employment growth through the year 2025. The 2025 Fresno General Plan also provided for a major street alternative for the West Gettysburg Avenue official plan line. This connection is between North Garfield Avenue and North Grantland Avenue south of the proposed project. The City of Fresno has determined that specific economic, legal, social, technological and other considerations related to the implementation of the 2025 General Plan outweigh the unavoidable adverse environmental effects identified in the Final MEIR, including any effects not mitigated because of the infeasibility of mitigation measures and that the identified adverse environmental effects are considered acceptable.

The following impacts were identified by City Council Resolution No. 2002-378 certifying Final MEIR No. 10130 (2025 Fresno General Plan Update) as significant but mitigate able effects:

1. Impact on Water Supply, Quality and Hydrology.
2. Increased Demand for Utilities and Service Systems.
3. Increased Demand for Public Services.
4. Increased Demand for Recreational Services.
5. Loss of Biological Resources.
6. Potential Disturbance of Cultural Resources.
7. Geology and Soils Impact.
8. Increased Demand for Energy.
9. Potential Aesthetic Concerns.

In addition, Resolution No. 2002-378, also identifies the following unavoidable significant impacts and statement of overriding considerations for these impacts:

1. Transportation and Circulation - The vehicular traffic level of service (LOS) of E and F projected for identified major streets and highway network is considered a significant and unavoidable

adverse impact which can not be completely mitigated. Furthermore, there are no reasonable mitigation measures available only to the City of Fresno which would reduce this impact to a less than significant level while allowing for the implementation of other appropriate alternative transportation facilities.

2. Air Quality - The adverse air quality impacts associated with the myriad of activities associated with the long range general plan for the Fresno Metropolitan area can be expected to be significant and unavoidable, and cannot be completely mitigated. Furthermore, there are no reasonable mitigation measures available only to the City of Fresno which would assure the reduction of air quality impacts to a less than significant level. In order to provide a suitable living environment within the metropolitan area, the plan strives to facilitate expanded economic growth that will support increased employment opportunities.
3. Preservation of Agricultural Land - The conversion of agricultural land to urban uses within the planned boundary to accommodate the projected population and employment growth of the 2025 Fresno General Plan is a significant and unavoidable adverse impact, which can not be completely mitigated. Furthermore, there are no reasonable mitigation measures available only to the City of Fresno which would assure the reduction of impacts upon agricultural land within the planned urban area to a less than significant level, while also allowing for prudently planned development to accommodate project population and employment growth.
4. Noise - The innumerable activities associated with urban living environments typically generate noise that contributes to the ambient noise levels that occur within the community. The MEIR identifies numerous mitigation measures intended to reduce the impacts of increased noise upon sensitive land uses. The 2025 Fresno General Plan, as the project, also specifies numerous general plan goals and implementing objectives and policies directed to reducing exposure to excessive noise levels. However, sufficient mitigation measures are not reasonably available only to the City of Fresno, which would assure the reduction of noise impacts to less than a significant level.

In addition to MEIR No. 10130 (2025 Fresno General Plan), other environmental documents have been certified for major public facilities to accommodate population growth and urban development including Final EIR No. 10118 (Fresno/Clovis Regional Wastewater Treatment and Reclamation Facility Capacity Expansion) and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resources Management Plan). These environmental impact analyses and conclusions, together with supporting technical studies, further address the impacts of population growth and the necessary public facility capacity expansion associated with the urban development that will accommodate the growth projected by the 2025 Fresno General Plan. To the extent that these referenced environmental impact analyses, conclusions, findings and mitigation measures are applicable to the subject project they are incorporated herein by reference, pursuant to CEQA Guidelines Section 15150.

## **I. – AESTHETICS**

No public or scenic vista will be obstructed by the development and no valuable vegetation will be removed.

During the clearance, grading and construction phases of the project, the creation of an aesthetically offensive condition can be expected in terms of the general appearance of the site. However, it is anticipated that this condition would be limited to the localized area and would only exist temporarily, therefore no long term impacts are anticipated.

## **II. Agricultural Resources**

The parcels that comprise the subject site appear to be in agricultural use (plant nursery), however, the site is currently planned for medium density residential development, is in the Fresno 2025 General Plan Sphere of Influence, and is surrounded by land planned for residential development and a public school facility. Residential subdivisions exist to the north and have been filed for review to the west and the south. The property to the east is the site of the new Central Unified School District stadium and campus.

## **III – AIR QUALITY**

As a result of the San Joaquin Valley's climate and topography, the San Joaquin Valley Air Basin (SJVAB) is predisposed to poor air quality. High mountain ranges surrounding the Valley frequently create air layer inversions that prevent mixing of air masses. The large number of sunny days per year and high temperatures in the summer favor the formation of ozone. In the winter, inversions form that often trap particulate matter.

With respect to the Fresno area, the SJVAB has been classified as follows:

- Ozone. Recently reclassified from "severe nonattainment" to "extreme nonattainment" by the U.S. EPA. Classified as "severe nonattainment" by the State.
- Particulate Matter (less than 10 microns) (PM<sub>10</sub>). Classified as "serious nonattainment" at the federal level. Classified as "nonattainment" by the State.
- Carbon Monoxide (CO). Recently reclassified from "nonattainment" to "attainment" by the U.S. EPA.
- Nitrogen Oxide (NO<sub>2</sub>). Unclassified/Attainment at the federal level. Classified "attainment" at the State level.
- Sulfur Dioxide (SO<sub>2</sub>). Unclassified at the federal level. Classified "attainment" at the State level.
- Sulfates. (No federal standard.) Classified "attainment" at the State level.
- Lead. (No federal designation.) Classified "attainment" at the State level.
- Hydrogen Sulfides (H<sub>2</sub>S). (No federal standard.) Unclassified by the State.
- Visibility. (No federal standard.) Unclassified by the State.

In response to the SJVAB's nonattainment status for Ozone (O<sub>3</sub>) and particulate matter (PM<sub>10</sub>), the San Joaquin Valley Air Pollution Control District (SJVAPCD) has adopted air quality attainment plans as required by State and federal regulations. Table VC-1 of MEIR No. 10130 lists the air quality attainment plans that have been adopted by the SJVAPCD.

On April 16, 2004, the Environmental Protection Agency (EPA) issued a final rule classifying the SJVAB as extreme non-attainment, effective May 17, 2004 (69 FR 20550). Under this rulemaking, the SJVAB's attainment date is November 15, 2010. An Extreme Ozone Attainment Demonstration Plan (OADP) must be prepared which is a roadmap that identifies emission reductions needed to attain the air quality standard by this date. According to the final rule reclassifying the SJVAB as extreme nonattainment for the federal one-hour ozone standard, the Extreme OADP was due to the EPA on November 15, 2004. A Draft Extreme Ozone Attainment Demonstration Plan is currently under review.

The principal components of an OADP consist of a baseline emissions inventory, data describing measured ozone levels in the atmosphere for the area in question, descriptions of emissions controls that will reduce future emissions, a future emissions inventory that reflects decreases due to implementation of emissions controls as well as increases due to increased population, and a description of the results from a photochemical model relating emissions to ambient ozone levels and demonstrating attainment of



the appropriate standard at a future date.

In addition, this plan fulfills requirements of the California Clean Air Act regarding the development of a triennial update and California Air Quality Attainment Plan revision that examines air pollutant exposure data, control measure implementation, and other air quality information with emphasis on meeting California ambient air quality standards.

As stated in the current Air Quality Attainment Plan, it is SJVAPCD's strategy to implement multiple tactics or control measures. These measures are, in turn, implemented through the extensive collection of District rules, regulations, and permitting requirements established by the SJVAPCD.

The Air District has suggested that the URBEMIS 2002 computer model be used to project future air pollutant emissions that can be expected to be generated from vehicular traffic generated from the urban uses developed on the project site. The computer model evaluated the following emissions: ROG (Reactive Organic Gasses), NOX (Nitrogen Oxides), CO (Carbon Monoxide), SOX (Sulfur Oxides), and PM10 (Particulates) which are summarized below.

#### **URBEMIS 2002 AIR QUALITY IMPACTS**

All data in tons/year	ROG	NOx	CO	SOx	PM10
Area Source Emissions	1.23	0.29	0.64	0.00	0.00
Operational Emissions	1.97	2.76	23.35	0.02	2.81
<b>Totals</b>	3.20	3.05	23.99	0.02	2.81
<b>Level of Significance</b>	<b>10</b>	<b>10</b>	<b>100</b>	<b>27.375</b>	<b>14.6</b>

The URBEMIS 2002 model projections indicate that the proposed project will not exceed the threshold limits for the NOx emissions listed (this particular analysis included the prohibition of wood burning devices). However, the project will still need to undergo Indirect Source Review pursuant to Rule 9510 as noted below.

In addition, the City of Fresno continues to plan and implement the expansion of its fixed-route bus public transportation system in order to serve developing urban areas. Adopted standards and conditions of development require the provision of adequate bus stop facilities at appropriate major street locations to facilitate future public transportation services.

In summary, air quality impacts associated with the project can be mitigated to a less than significant level by implementation of the project specific mitigation measures noted below, as well as those listed in the 2025 Fresno General Plan Mitigation Monitoring Checklist. This project's mitigation measures, together with the implementation of the "Reasonably Available Control Measures" (RACM), as listed in table VC-3 of MEIR No. 10130, or all other applicable projects is expected to help the city improve its overall air quality. A larger regional implementation of these measures is needed to significantly help the air basin reach its air quality goals.

#### **Mitigation Measures:**

1. The proposed project shall implement and incorporate, as appropriate, the following air quality related mitigation measures as noted in the attached Project Specific Monitoring Checklist dated January 30, 2008.

- a. Comply with Rule 4002 regarding National Emission Standards for Hazardous Air Pollutants: asbestos. Any identified Asbestos containing building material having the potential for disturbance must be removed by a certified asbestos contractor in accordance with CAL-OSHA requirements.
  - b. Comply with Rule 4102 regarding source operations that could cause a public nuisance
  - c. Comply with Rule 4601 regarding architectural coatings. This rule limits volatile organic compounds from architectural coatings by specifying architectural coatings storage, clean up and labeling requirements and applies to any person who supplies, sells, offers for sale, applies or solicits the application of any architectural coating.
  - d. Comply with Rule 4641 regarding cutback, slow cure, and emulsified asphalt, paving and maintenance operations. If asphalt paving will be used, then paving operations of this project will be subject to Rule 4641. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.
  - e. Comply with Rule 9510 regarding Indirect Source Review. This rule was adopted to reduce the impacts of growth in emissions from all new development in the San Joaquin Valley. Rule 9510 requires applicants to provide information that enables the District to quantify construction, area and operational PM10 and NOx emission, and potentially mitigate a portion of those emissions. An application must be filed with the District prior to development.
2. The proposed project shall implement and incorporate, as appropriate, the air quality related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130-2025 Fresno General Plan Mitigation Monitoring Checklist dated November 16, 2006.

#### **IV. – BIOLOGICAL RESOURCES**

There are no native plants or significant wildlife populations known to exist on the project site. The required landscaping on the site would provide habitat for certain species of birds and small animals suited for an urban environment.

#### **V. – CULTURAL AND HISTORIC RESOURCES**

No cultural or historic resources are known to exist on the project site.

##### **Mitigation Measures**

1. The proposed project shall implement and incorporate, as appropriate, the cultural and historic resource related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130-2025 Fresno General Plan Mitigation Monitoring Checklist dated January 30, 2008.

#### **VI. – TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS**

The site is located within the San Joaquin Valley, a broad structural trough bounded by the Sierra Nevada and Coast Ranges of California, sloping westward to its greatest depth near the western margin of the valley. The San Joaquin Valley has been filled with several thousand feet of sedimentary deposits. Sediments in the valley, derived from the erosion of the Sierra Nevada, have deposited sands with lesser silts, minor clays, and gravel by major to minor west-flowing drainages and their tributaries. The

sedimentary deposits in the region form large, coalescing alluvial fans with gradual slopes. General movement of groundwater within the San Joaquin Valley is from the flanks of the valley to the median of the trough on the western side of the valley and subsequently toward the Sacramento Delta area. The San Joaquin Valley is an area of substantial groundwater withdrawal and recharge from municipal, industrial and agricultural use.

No active earthquake faults have been detected within the Fresno metropolitan area. Fresno County is considered by the state to be an area of low seismic risk and there are no defined Alquist-Priolo special Fault Study zones in the area. The principal earthquake hazard is related to ground shaking; surface rupture is considered extremely unlikely. The distance between Fresno and major faults reduces ground-shaking effects. The City is classified as Seismic Zone III in the 1999 Uniform Building Code. Zone III indicates that the area is subject to strong ground motions from earthquakes.

Development of the property requires compliance with grading and drainage standards of the City of Fresno and the Fresno Metropolitan Flood Control District. Construction activities will require excavation and compaction of soils. The City requires, as a standard building practice, the submittal of geotechnical reports. The design and construction of projects are required to comply with the recommendations of said reports.

The City's standard practice and procedures and the objectives and policies in the 2025 Fresno General Plan will reduce effects related to geology to a less than significant level.

1. The proposed project shall implement and incorporate, as appropriate, the topography and geology related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130- 2025 Fresno General Plan Mitigation Monitoring Checklist dated January 30, 2008.

## **VII – HAZARDS AND HAZARDOUS MATERIALS**

The San Joaquin Valley is the second largest flood plain in the United States after that of the Mississippi River, therefore the potential hazard of flooding exists and must be mitigated where warranted. The subject site is located in Flood Plane Zone X, indicating that the level of flood hazard is less than significant.

No hazardous materials are currently known to exist on the site.

### **Mitigation Measures:**

1. The proposed project shall implement and incorporate, as appropriate, the hazards and hazardous materials related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130- 2025 Fresno General Plan Mitigation Monitoring Checklist dated January 30, 2008.

## **VIII – HYDROLOGY AND WATER QUALITY**

The Fresno Metropolitan Water Resource Management Plan has been adopted and the accompanying Final EIR (SCH #95022029) certified. The purpose of the management plan is to provide safe, adequate, and dependable water supplies to meet the future needs of the metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities. In addition, the proposed project must contribute to the completion of the Fresno Metropolitan Flood Control District's master planned storm drainage

facilities.

The mitigation measures of EIR No. 10130 are incorporated herein by reference and are required to be implemented by the attached mitigation monitoring checklist. In summary, these mitigation measures require participation in the development of groundwater recharge in an amount equal to the project's estimated water consumption. Alternative measures to satisfy this requirement include paying fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the project, or participation in augmentation/enhancement/enlargement of the recharge capability of Fresno Metropolitan Flood Control District storm water ponding basins. While the proposed project may be served by conventional groundwater pumping and distribution systems, full development of the 2025 Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities.

Furthermore, adverse groundwater conditions of limited supply and compromised quality have been well-documented by planning, environmental impact report, and technical studies over the past 20 years including the MEIR No. 10130 for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117, Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan) et al. These conditions include water quality degradation due to DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring up gradient from the Fresno Metropolitan Area.

In accordance with the provisions of the 2025 Fresno General Plan and Master EIR No. 10130 mitigation measures, project specific water supply and distribution requirements must assure that an adequate source of water is available to serve the project with the implementation of the mitigation measures noted below and are required to be implemented by the attached mitigation monitoring checklist. In summary, these mitigation measures require participation in the development of a water supply and distribution system equal to the project's estimated water consumption.

### **Mitigation Measures**

1. The proposed project shall implement and incorporate, as appropriate, the hydrology and water quality related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130- 2025 Fresno General Plan Mitigation Monitoring Checklist dated January 30, 2008.
2. The proposed project shall implement and incorporate, as appropriate, the following hydrology and water quality related mitigation measures as noted in the attached Project Specific Monitoring Checklist dated January 30, 2008.
  - a. Fresno Irrigation District (FID) indicates that the Sylvia No. 47 and the Minor-Thorton Canals traverses the north side and the center of the subject property. The applicant must grant exclusive pipeline easements to FID and pipe these canals across the proposed development in accordance with FID standards, and the applicant shall enter into an agreement with FID for that purpose.

### **IX. – LAND USE AND PLANNING**

**Residential planned land uses.** The project is planned for development with medium density residential land uses (4.99 – 10.37 dwelling units per acre). The project applicant has requested an off the table zoning request to the R-2 zone district in order to allow the project to increase the density to 7 units per acre and still retain a single-family design. The density is well within the range of the land use designation and implements the 2025 Fresno General Plan goal for higher residential densities. Any potential significant impacts caused by this increase would be mitigated by the mitigation measures in the MEIR as well as the attached project specific mitigation measures.



**Mitigation Measures:**

1. The proposed project shall implement and incorporate, as appropriate, the land use related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130-2025 Fresno General Plan Mitigation Monitoring Checklist dated January 30, 2008.
2. The proposed project shall implement and incorporate, as appropriate, the following land use related mitigation measure as noted in the attached Project Specific Monitoring Checklist dated January 30, 2008.

**X. -MINERAL RESOURCES**

The project site is not located in a mineral resource zone as identified by the 2025 Fresno General Plan Aggregate Mineral Resource Map located in Exhibit 10 of the plan.

**XI. – NOISE**

The project site will be exposed to vehicle traffic noise due to its location adjacent to a planned super arterial (Veteran's Boulevard) along the southeasterly boundary of the tract. Super-arterials are typically developed with four to six lanes of travel (two to three in each direction), a median island, single or dual left turn lanes at intersections, and access is limited. They are designed to accommodate average vehicle daily trips of 45,000.

The City of Fresno Noise Element of the General Plan identifies the maximum appropriate noise level exposure for outdoor activity areas to be 60 dB DNL, and for interior living areas a noise level exposure of not more than 45 dB DNL. Portions of the site are within a 65 decibel contour according to the Master Environmental Impact Report for the 2025 Fresno General Plan. This condition requires that an acoustical analysis for the project be submitted, evaluated, and accepted by the Planning and Development Department. The acoustical analysis performed by Brown-Buntin and Associates for the project found the noise levels to be substantial in a report dated June 1, 2007.

The acoustical analysis used the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model in addition to field measurements at the project site. The outdoor noise level, without a sound attenuation wall, is expected to be 63 dB DNL at the approximate center of the nearest backyards along Veteran's Boulevard. The study concludes that the construction of a six-foot solid wall, or approved combination of wall and berm, along the southeasterly boundary of the tract (specifically along the Veteran's Boulevard alignment), is required to fully reduce the noise to acceptable levels. The solid wall barrier would reduce the exterior noise level to 57 dB at the first floor height. Units having two stories in the impacted area must be provided with an additional analysis. Indoor noise standards will be met with the construction of the sound walls and through building code requirements.

**Mitigation Measures:**

1. The proposed project shall implement and incorporate, as appropriate, the noise-related mitigation measures as identified in the acoustical analysis prepared for the project dated June 1, 2007, by Brown-Buntin Associates, Inc. and the Master Environmental Impact Report No. 10130-2025 Fresno General Plan Mitigation Monitoring Checklist dated January 30, 2008. Units located within the 60 dB DNL contour as shown in the analysis shall be limited to one store or provided with an

amendment to the analysis for the second level.

## **XII.- POPULATION AND HOUSING**

See Mitigation Measures for Item IX. Land Use and Planning, above

## **XIII. – PUBLIC SERVICES**

### **A. Fire Protection**

The project must comply with the applicable service delivery requirements necessary to provide not less than the minimum acceptable level of fire protection facilities and services appropriate for urban uses. Fire service will be provided by City of Fresno Station No. 18, which is located within three miles.

#### **Mitigation Measures:**

1. The proposed project shall implement and incorporate, as applicable, the Fire related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130-2025 Fresno General Plan Mitigation Monitoring Checklist dated January 30, 2008.

## **XIV.-RECREATION**

No significant impacts to city recreation facilities are anticipated as a result of the project.

## **XV. – TRANSPORTATION AND TRAFFIC**

### **Generation of Vehicular Traffic Sufficient to Cause Capacity Deficiencies**

The development of the project site with the proposed 125 single-family residences, and the surrounding planned land uses designated by the 2025 Fresno General Plan and West Area Community Plan, will require the completion of the planned major street network in accordance with applicable development policies and standards including the Urban Growth Management program. Both plans designate North Grantland and West Indianapolis Avenues as collector streets and North Veterans Boulevard as a super arterial street. Collector streets are typically developed with two travel lanes in each direction but without a median island. The Grantland arterial will be developed with 6 travel lanes and median islands. However, all street standards provide for a widened pavement width at major street intersections to allow for exclusive left-turn and right-turn lanes as well as bus bays or turnouts.

The MEIR No. 10130 prepared for the 2025 Fresno General Plan (incorporated herein by reference) utilized macro-level traffic analysis techniques to examine the traffic flow level of service (LOS) for major street segments that would occur in the year 2025. This analysis utilized the unadjusted Council of Fresno County Council of Governments (COG) traffic model projected traffic volumes and the Florida Tables, which are an accepted national tabular standard of the Highway Capacity Manual (HCM) methodology. LOS is a characterization of a street's traffic flow operations that range from an LOS of A (reflecting a very low traffic volume with no travel delay) to an LOS of F (reflecting a very high traffic volume with substantial congestion and travel delay).

The most substantial traffic capacity deficiencies are predicted to occur within the eastern portion of the Fresno Metropolitan Area along Clovis Avenue and on Shields Avenue immediately east of Clovis Avenue. A substantial proportion of these street deficiencies are the result of land use decisions, development practices and public perceptions that have affected land use distribution throughout the region. These factors also include state planning mandates such as the need to accommodate projected population growth consistent with State planning law including the housing element mandates (California

Government Code Sections 65583 through 65895.5). These decisions include the practice of segregating residential, commercial and industrial land uses so that industrial and other employment intensive uses were located in the southern portion of the metropolitan area, while predominantly residential uses were located in the middle and northern sectors.

As required by the mitigation measures established by the certification of MEIR No. 10130, a traffic assessment was prepared by TJKM Transportation Consultants (dated April 28, 2005) to evaluate the number of vehicle trips projected to be generated by the proposed project. Utilizing the Institute of Traffic Engineers (ITE) Trip Generation Manual, Seventh Edition, and associated computer software together with the COG's computerized traffic model, this analysis predicts the number of vehicle trips that will be generated from the proposed project and surrounding planned land uses, and the direction in which these trips will travel.

The Traffic Impact Study (TIS) analyzed the following intersections:

- SR 99/Veterans Boulevard
- Grantland/Veterans Blvd/Grantland Avenues
- Indianapolis Ave/Veterans Blvd
- Ashlan/Bryan Avenues
- Veterans Blvd/Ashlan Ave
- Ashlan Ave/SR 99

Development of 125 single family residential dwelling units can be expected to generate an average of approximately 1,148 vehicle trips per day (VTD). Of these vehicle trips, it is projected that 90 will occur during the morning (7 to 9 a.m.) peak hour travel period and 121 will occur during the evening (4 to 6 p.m.) period hour travel period. The project traffic study indicates that the majority of the existing plus pipeline projects (2010) peak hour vehicle trips are expected to travel Ashlan Avenue between Veterans Boulevard and Bryan Avenue. Because much of the immediately surrounding area (i.e. most portion of the West Area Community Plan Area) is not developed, the planned major street and intersection improvements have not yet been completed as required by adopted plans, policies and development standards. However, approval of the proposed project, as well as other urban land uses developed as planned by the 2025 Fresno General Plan will require the construction of the planned major street system consistent with the public facility and service delivery requirements of the Urban Growth Management Program. In addition, the developer of this project, in accordance with the mitigation measures of Master Environmental Impact Report (No. 10130) which was certified by the Council with the adoption of the 2025 Fresno General Plan, will be required to pay impact fees specific to the traffic signalization of the major street intersections.

In order to alleviate the impact of this project upon the City of Fresno's street system and to provide for a smooth flow of traffic to and from the project, the property owner/developer will be required to dedicate a portion of the subject sites for street purposes in accordance with adopted plans and policies such as the Major Street and Highway Plan, the Circulation Element of the General Plan, an Official Plan Line, a Director's Determination, or a local street public improvement standard as determined by the Director. Each development must also construct a portion of the planned major street system, including off-site extensions as required by Urban Growth Management Policies. However, until the street system is completed to accommodate its anticipated capacity, the Community Plan area is expected to contain numerous bottleneck areas, which will impede the flow of traffic.

These and other street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to and recognize the traffic generating characteristics of individual properties and, at the same time, afford the community an adequate and efficient circulation system.

#### **Mitigation Measures:**

1. The proposed project shall implement and incorporate, as applicable, the following traffic related mitigation measures as noted in the attached Project Specific Monitoring Checklist dated January 30, 2008.
  - a. The project applicant shall pay the City of Fresno Traffic Signal Mitigation Impact Fee (TSMI) to mitigate any impacts to the City's traffic signal network.
  - b. Signal improvements shall be constructed within the project area in order to bring the Level of Service to Fresno 2025 General Plan standards pursuant to the recommendations of the Traffic Impact Study dated June 29, 2007, for this project and further analysis by the traffic engineering division of the City of Fresno.
  - c. Additional lanes shall be added on streets within the project area in order to bring the Level of Service to Fresno 2025 General Plan standards pursuant to the Traffic Impact Study dated June 29, 2007 and further analysis by the traffic engineering division of the City of Fresno.
2. The proposed project shall implement and incorporate, as applicable, the traffic related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130- 2025 Fresno General Plan Mitigation Monitoring Checklist dated January 30, 2008.

#### **DETERMINATION**

Based upon these previous actions and the applicability of adopted development standards, plan policies/implementation measures, and applicable mitigation measures of the above-referenced environmental documents, it is concluded that the proposed land uses will not result in a significant adverse environmental effect. This project, as all projects, will have some impact on Global Climate Change and Greenhouse Gas Emissions. Projects within the City of Fresno, however, are subject to standard conditions of approval which help to mitigate these impacts. The City has established mandatory waste recycling, water efficient fixtures and landscape irrigation, drought tolerant landscape standards, mandatory landscaping and open spaces standards, pedestrian and bicycle trails, public transportation facilities and project direct accesses to pedestrian and mass transit facilities. The City encourages solar generation in residential homes and requires energy efficient subdivision design.

On the basis of this initial evaluation, it is determined that the proposed project is consistent with all applicable city plans and policies and conforms to all applicable zoning standards and requirements. Pursuant to Section 15070 of the California Environmental Quality Act (CEQA) Guidelines, it is further determined that there is no substantial evidence in the record that the proposed project may have a significant effect on the environment. **This is based upon the mitigation measures required as conditions of project approval which are referenced by this environmental assessment and as identified by the Master Environmental Impact Report No. 10130 prepared for the 2025 Fresno General Plan and are conditions upon which a mitigated negative declaration can be recommended.** A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.

**CITY OF FRESNO  
MITIGATED NEGATIVE DECLARATION  
PROJECT SPECIFIC MITIGATION MEASURES AND  
MONITORING CHECKLIST  
ENVIRONMENTAL ASSESSMENT NO. R-07-12/C-07-252/T-5864**

	MITIGATION MEASURE	IMPLEMENTED BY	WHEN IMPLEMENTED	VERIFIED BY
<b>III.</b>	<b>AIR QUALITY</b>			
a.	Comply with Rule 4002 regarding National Emission Standards for Hazardous Air Pollutants: asbestos.	Project Applicant	Upon approval of demolition permit	City of Fresno Planning & Development Department
b.	Comply with Rule 4102 regarding source operations that could cause a public nuisance	Project Applicant	Prior to building permit	City of Fresno Planning & Development Department
c.	Comply with Rule 4601 regarding architectural coatings.	Project Applicant	Prior to building permit	City of Fresno Planning & Development Department
d.	Comply with Rule 4641 regarding cutback, slow cure, and emulsified asphalt, paving and maintenance operations.	Project Applicant	Prior to building permit	City of Fresno Planning & Development Department
e.	Comply with Rule 9510 regarding Indirect Source Review.	Project Applicant	Prior to building permit	San Joaquin Valley Air Pollution Control District and City of Fresno Planning & Development Department
<b>VIII.</b>	<b>HYDROLOGY AND WATER QUALITY</b>			
a.	Fresno Irrigation District (FID) Sylvia No. 47 and the Minor-Thorton No. 459 canals traverses the subject property and applicant must grant an exclusive pipeline easement to FID and pipe these canals across the proposed development in accordance with FID standards, and that the applicant enter into an agreement with FID for that purpose.	Project Applicant	Plan approval by FID prior to building permit	City of Fresno Planning and Development Department and Fresno Irrigation District
<b>VII</b>	<b>NOISE</b>			
a.	Provide noise barrier identified in the acoustical analysis dated June 1, 2007 by Brown-Buntin Associates	Project Applicant	Prior to occupancy of unit within the 60 LDN noise contour	City of Fresno Planning & Development Department



XV.	<b>TRANSPORTATION AND TRAFFIC</b>			
a.	The Tract project shall pay its Traffic Signal Mitigation Impact (TSMI) Fee of \$440.03 per single family dwelling unit at the time of building permit based on the trip generation rate(s) as set forth in the latest edition of the ITE Trip Generation Manual. The TSMI fee based on 125 single family dwelling units is \$56,763.87.	Project applicant	Prior to issuance of first building permit	City of Fresno Planning & Development Department and Department of Public Works Traffic Engineering Division and
c.	The project shall signalize the intersection of Grantland/Veterans/Gettysburg Avenue. The intersection is included in the TSMI fee. The cost of the engineering design and construction is reimbursable and can be credited against the TSMI fee. This signal is also conditioned on another project, however it will need to be operating prior to occupancy. This signal should be designed consistent with the P69 Standard.	Project applicant	Prior to issuance of first building permit	City of Fresno Planning & Development Department and Department of Public Works Traffic Engineering Division and
d.	The project shall signalize the intersection of Indianapolis/Veterans Avenue. The intersection is included in the TSMI fee. The cost of the engineering design and construction is reimbursable and can be credited against the TSMI fee. This signal should be designed consistent with the P69 Standard.	Project applicant	Prior to issuance of first building permit	City of Fresno Planning & Development Department and Department of Public Works Traffic Engineering Division and
e.	The proposed project shall make necessary improvements and right-of-way dedications along adjacent public streets as per City of Fresno requirements and the recommended queue lengthens from the TIS.			

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130**  
**2025 FRESNO GENERAL PLAN**

**Project/EA No. R-06-012, T-5864, C-07-252**

**Date: January 30, 2008**

**Mitigation Monitoring Checklist**

Following is the mitigation monitoring checklist from MEIR No. 10130 as applied to the above noted Project Environmental Assessment as required by City Council Resolution No. 2002-378 and Exhibit "E", thereof, adopted on November 19, 2002, certifying the MEIR for the 2025 Fresno General Plan Update.

**NOTE:** Letters B-Q in mitigation measures refer to the respective section of Chapter V of MEIR No. 10130

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>B-1.</b> Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an Average Daily Traffic (ADT) level of service (LOS) D or better in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/transportation improvements that will contribute to achieving and maintaining LOS D.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.						X
<b>B-2.</b> Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS E in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining LOS E.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.						X
<b>B-3.</b> Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS F shall not cause further substantial degradation of conditions on those segments before 2025 without completing a traffic and transportation evaluation.  This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining a LOS equivalent to that anticipated by the General Plan. Further substantial degradation is defined as an increase in the peak hour vehicle/capacity (v/c) ratio of 0.15 or greater for roadway segments whose v/c ratio is estimated to be 1.00 or higher in 2025 by the General Plan MEIR traffic analysis.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X					X

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130**  
**2025 FRESNO GENERAL PLAN**

**Project/EA No. R-06-012, T-5864, C-07-252**

**Date: January 30, 2008**

**Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>B-4.</b> For development projects that are consistent with plans and policies, a site access evaluation shall be required to the satisfaction of the Public Works Director. This evaluation shall, at a minimum, focus on the following factors:</p> <p>a. Disruption of vehicular traffic flow along adjacent major streets, appropriate design measures for on-site vehicular circulation and access to major streets (number, location and design of driveway approaches), and linkages to bicycle/pedestrian circulation systems and transit services.</p> <p>b. In addition, for development projects that the City determines may generate a projected 100 or more peak hour vehicle trips (either in the morning or evening), the evaluation shall determine the project's contribution to increased peak hour vehicle delay at major street intersections adjacent or proximate to the project site. The evaluation shall identify project responsibilities for intersection improvements to reduce vehicle delay consistent with the LOS anticipated by the 2025 Fresno General Plan. For projects which affect State Highways, the Public Works Director may direct the site access evaluation to reference the criteria presented in Caltrans Guide for the Preparation of Traffic Impact Studies.</p>	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X	X				
<p><b>B-5.</b> Circulation and site design measures shall be considered for development projects so that local trips may be completed as much as possible without use of, or with reduced use of, major streets and major street intersections. Appropriate consideration must also be given to compliance with plan policies and mitigation measures intended to promote compatibility between land uses with different traffic generation characteristics.</p>	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.		X				
<p><b>B-6.</b> New development projects and major street construction projects shall be designed with consideration and implementation of appropriate features (considering safety, convenience and cost-effectiveness) to encourage walking, bicycling, and public transportation as alternative modes to the automobile.</p>	Prior to approval or prior to funding of major street project.	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X					
<p><b>B-7.</b> Bicycle and pedestrian travel and use of public transportation shall be facilitated as alternative modes of transportation including, but not limited to, provision of bicycle, pedestrian and public transportation facilities and improvements to connect residential areas with public facilities, shopping and employment. Adequate rights-of-way for bikeways, preferably as bicycle lanes, shall be provided on all new major streets and shall be considered when designing improvements for existing major streets.</p>	Ongoing	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X					



**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130**  
**2025 FRESNO GENERAL PLAN**

Project/EA No. R-06-012, T-5864, C-07-252

Date: January 30, 2008

**Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F
<b>C-1.</b> In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs. a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals. b. Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements. c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations. d. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts.	Ongoing	Planning and Development Department						
							X	
<b>C-2.</b> The City shall continue efforts to improve technical performance, emissions levels and system operations of the Fresno Area Express transit system, through such measures as: a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions. b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit. c. Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible. d. Initiating a program to allow employers and institutions (e.g., educational facilities) to purchase blocks of bus passes at a reduced rate to facilitate their incentive programs for reducing single-passenger vehicle use.	Ongoing	Fresno Area Express					X	
<b>C-3.</b> The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR.	Ongoing	Various city departments	X					
<b>D-1.</b> The City shall monitor impacts of land use changes and development project proposals on metropolitan water supply facilities and the groundwater aquifer.	Ongoing	Dept of Public Utilities and Planning and Development Dept					X	

A – Incorporated into Project  
B – Mitigated

**Page 3**  
C – Mitigation in Progress  
D – Responsible Agency Contacted

E – Part of City-Wide Program  
F – Not Applicable

# MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130

## 2025 FRESNO GENERAL PLAN

Project/EA No. R-06-012, T-5864, C-07-252

Date: January 30, 2008

### Mitigation Monitoring Checklist

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F
D-2. The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Department of Public Utilities and Planning and Development Department			X		X	
D-3. The City shall implement the Fresno Metropolitan Water Resources Management Plan and update this plan as necessary to ensure the cost-effectiveness use of water resources and continued availability of good-quality groundwater and surface water supplies.	Ongoing	Department of Public Utilities					X	
D-4. The City shall work with the Fresno Metropolitan Flood Control District to prevent and reduce the existence of urban storm water pollutants to the maximum extent practical and ensure that surface and groundwater quality, public health, and the environment shall not be adversely affected by urban runoff, and shall comply with NPDES standards.	Ongoing	Planning and Development Department			X		X	
D-5. The City shall preserve undeveloped areas within the 100-year floodway within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods.	Ongoing	Planning and Development Department						X
D-6. The city shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect: a. Construction in this area from being damaged by the intensity of flooding in the riverbottom; and, b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and, c. Public health, safety and general welfare from the effects of flood events.	Ongoing	Planning and Development Department						X
D-7. The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds).	Ongoing	Planning and Development Department						X
D-8. The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management of all sources of water available to the planning area which is periodically updated to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development.	Ongoing	Department of Public Utilities					X	
D-9. If the City is unable to renew its 60,000-acre foot USBR water supply contract due to the city's Charter meter prohibition, replacement water supplies and/or conservation measures of equal benefit shall be secured.	Ongoing	Department of Public Utilities						X
D-10. The City will conform to the requirements of Waste Discharge Requirements Order 5-01-254, including groundwater monitoring and subsequent Best Practical Treatment and Control (BPTC) assessment and findings.	Ongoing	Department of Public Utilities					X	



**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130**  
**2025 FRESNO GENERAL PLAN**

**Project/EA No. R-06-012, T-5864, C-07-252**

**Date: January 30, 2008**

**Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	F
<b>E-1.</b> The City shall continue to implement and pursue strengthening of urban growth management service delivery requirements and annexation policy agreements, including urging that the county continue to implement similar measures within the boundaries of the 2025 Fresno General Plan, to promote contiguous urban development and discourage premature conversion of agricultural land.	Ongoing	Planning and Development Department						X
<b>E-2.</b> To minimize the inefficient conversion of agricultural land, the City shall pursue the appropriate measures to ensure that development within the planned urban boundary occurs consistent with the General Plan and that urban development occurs within the city's incorporated boundaries.	Ongoing	Planning and Development Department	X	X			X	
<b>E-3.</b> The City shall pursue appropriate measures, including recordation of right to farm covenants, to ensure that agricultural uses of land may continue within those areas of transition where planned urban areas interface with planned agricultural areas.	Ongoing	Planning and Development Department						X
<b>E-4.</b> Development of agricultural land, or fallow land adjacent to land designated for agricultural uses, shall incorporate measures to reduce the potential for conflicts with the agricultural use. Implementation of the following measures shall be considered:	Ongoing	Planning and Development Department						X
a. Including a buffer zone of sufficient width between proposed residences and the agricultural use.								
b. Restricting the intensity of residential uses adjacent to agricultural lands.								
c. Informing residents about possible exposure to agricultural chemicals.								
d. Where feasible and permitted by law, exploring opportunities for agricultural operators to cease aerial spraying of chemicals and use of heavy equipment near proposed residences.								
e. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.								
<b>F-1.</b> The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in a comprehensive manner.	Ongoing	Dept. of Public Utilities and Planning and Development Department	X	X				
<b>F-2.</b> The City shall continue the development and use of citywide sewer flow monitoring and computerized flow modeling to ensure the availability of sewer collection system capacity to serve planned urban development.	Ongoing	Dept. of Public Utilities					X	
<b>F-2-a.</b> The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.	Ongoing	Dept. of Public Utilities					X	X

A – Incorporated into Project  
B – Mitigated

**Page 5**  
C – Mitigation in Progress  
D – Responsible Agency Contacted

E – Part of City-Wide Program  
F – Not Applicable

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130**  
**2025 FRESNO GENERAL PLAN**

**Project/EA No. R-06-012, T-5864, C-07-252**

**Date: January 30, 2008**

**Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F
<b>F-3.</b> The City shall ensure the provision of adequate sewage treatment and disposal by using the Fresno-Clovis Regional Wastewater Reclamation Facility as the primary facility when economically feasible for all existing and new development within the General Plan area. Smaller, subregional wastewater treatment facilities may also be constructed as part of the regional wastewater treatment system, when appropriate. Site specific environmental evaluation and development of Waste Discharge Requirements by the Regional Water Quality Control Board shall precede the construction of these facilities. Mitigation measures identified in these evaluations shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Dept. of Public Utilities	X				X	
<b>F-4.</b> The City shall ensure that adequate trunk sewer capacity exists or can be provided to serve proposed development prior to the approval of rezoning, special permits, tract maps and parcel maps, so that the capacities of existing facilities are not exceeded.	Ongoing/prior to approval of land use entitlement application	Dept. of Public Utilities and Planning Department	X	X				
<b>F-5.</b> The City shall provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse for existing and planned development within the City's jurisdiction. Site specific environmental evaluation shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Dept. of Public Utilities	X					
<b>G-1.</b> Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Fire Dept/Police Dept/Planning and Development Dept.						X
<b>H-1.</b> Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts.	Ongoing/prior to construction	Parks and Recreation Dept./Planning and Development Dept.						X
<b>I-1.</b> Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species ( or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X
<b>I-2.</b> Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall include siting structures at least 100 feet from the outermost edge of the wetland. If complete avoidance is not possible, the disturbance to the wetland shall be minimized to the maximum extent possible, with restoration of the disturbed area provided. New vegetation shall consist of native species similar to those removed.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X

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**Page 6**  
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**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130**  
**2025 FRESNO GENERAL PLAN**

**Project/EA No. R-06-012, T-5864, C-07-252**

**Date: January 30, 2008**

**Mitigation Monitoring Checklist**

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A B C D E F					
			A	B	C	D	E	F
I-3. Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided. The replacement habitat shall be substantially equivalent in nature to the habitat lost and shall be provided at a ratio suitable to assure that, at a minimum, there is no net loss of habitat acreage or value. Typically, the U.S. Fish and Wildlife Service and California Department of Fish and Game require a ratio of three replacement acres for every one acre of high quality riparian or wetland habitat lost.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-4. Existing and mature riparian vegetation shall be preserved to the extent feasible, except when trees are diseased or otherwise constitute a hazard to persons or property. During construction, all activities and storage of equipment shall occur outside of the drip lines of any trees to be preserved.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-5. Within the identified riparian corridors, environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses consistent with these values shall be allowed (e.g., nature education and research, fishing and habitat enhancement and protection).	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-6. All areas within identified riparian corridors shall be maintained in a natural state or limited to recreation and open space uses. Recreation shall be limited to passive forms of recreation, with any facilities that are constructed required to be non-intrusive to wildlife or sensitive species.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
J-1. If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures: a. Amending construction plans to avoid the resources. b. Setting aside sites containing these resources by deeding them into permanent conservation easements. c. Capping or covering these resources with a protective layer of soil before building on the sites. d. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them. e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.	X					

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**Page 7**  
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**2025 FRESNO GENERAL PLAN**  
**Mitigation Monitoring Checklist**

Date: January 30, 2008

Project/EA No. R-06-012, T-5864, C-07-252

MITIGATION MEASURE		WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<b>J-2.</b> An archaeological assessment shall be conducted for the project if prehistoric human relics are found that were not previously assessed during the environmental assessment for the project. The site shall be formally recorded, and archaeologists' recommendations shall be made to the City on further site investigation or site avoidance/ preservation measures.		Ongoing/prior to submittal of land use entitlement application	Planning and Development Dept.	X					
<b>J-3.</b> If there are suspected human remains, the Fresno County Coroner shall be contacted immediately. If the remains or other archaeological materials are possibly of Native American origin, the Native American Heritage Commission shall be contacted immediately, and the California Archaeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.		Ongoing	Planning and Development Dept./ Historic Preservation Commission staff	X					
<b>J-4.</b> Where maintenance, repair stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.		Ongoing	Planning and Development Dept./ Historic Preservation Staff						X
<b>K-1.</b> The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.		Ongoing	Planning and Development Dept.	X					
<b>K-2.</b> Any required acoustical analysis shall be performed as required by Policy H-1-d of the 2025 Fresno General Plan for development projects proposing residential or other noise sensitive uses as defined by Policy H-1-a, to provide compliance with the performance standards identified by Policies H-1-a and H-1-k. (Note: all are policies of the 2025 General Plan.) The following measures can be used to mitigate noise impacts; however, impacts may not be fully mitigated within the 70 dBA noise contour areas depicted on Figure VK-4. <ul style="list-style-type: none"> <li><b>Site Planning.</b> See Chapter V for more details.</li> <li><b>Barriers.</b> See Chapter V for more details.</li> <li><b>Building Designs.</b> See Chapter V for more details.</li> </ul>		Ongoing/upon submittal of land use entitlement application	Planning and Development Dept.	X	X				
<b>K-3.</b> The City shall continue to enforce the California Administrative Code, Title 24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEEL or below.		Ongoing/prior to building permit issuance	Planning and Development Dept.	X	X				
<b>L-1.</b> Any construction that occurs as a result of a project shall conform with current Uniform Building Code regulations which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.		Ongoing	Planning and Development Dept.	X	X			X	

MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130  
2025 FRESNO GENERAL PLAN  
Mitigation Monitoring Checklist

Date: January 30, 2008

Project/EA No. R-06-012, T-5864, C-07-252

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
N-1. The City shall cooperate with appropriate energy providers to ensure the provision of adequate energy generated and distribution facilities, including environmental review as required.	Ongoing	Planning and Development Dept.					X	
Q-1. The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.	Ongoing	Planning and Development Dept.						X

A – Incorporated into Project  
B – Mitigated

Page 9  
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F – Not Applicable





FRESNO CITY PLANNING COMMISSION  
RESOLUTION NO. 12862

The Fresno City Planning Commission at its regular meeting of June 4, 2008, adopted the following resolution relate to the repeal of the Official Plan Line of West Gettysburg Avenue (OPL 111) between North Grantland Avenue and North Garfield Avenues, in accordance with Article 7 of Chapter 12 of the Fresno Municipal Code.

WHEREAS, the Director of the Planning and Development now desires to repeal that portion of the Official Plan Line; and,

WHEREAS, the Fresno City Planning Commission held a public hearing to consider this application on June 4, 2008; and,

WHEREAS, the Planning Commission received a staff report, invited testimony with respect to the proposed repeal of the Official Plan Line; and,

WHEREAS, no persons spoke in objection to the proposed repeal of the Official Plan Line and the representatives of the property owners of the property located on the south side of the Official Plan Line, spoke and requested approval of the repeal of that portion between North Garfield and North Grantland Avenues.

NOW, THEREFORE, BE IT RESOLVED, that the Fresno City Planning Commission, following the testimony discussed the future use of the parcel over which the Official Plan Line was established. Following the discussion, a motion to recommend approval to the Fresno City Council of the revocation of the West Gettysburg Avenue Official Plan Line between North Garfield and North Grantland Avenues was made by Commissioner Cherry, and seconded by Commissioner Kissler.

VOTE:

Ayes- Cherry, Kissler, Vasquez

Noes- DiBuduo, Holt, Vang

Not Voting- None

Absemt- Torossian

NOW, THERFORE, BE IT FURTHER RESOLVED, that a tie vote of the Commission is a vote in the negative and the recommendation to the Fresno City Council is to not approve the revocation of the Official Plan Line .



KEITH BERGTHOLD, Secretary  
Fresno City Planning Commission

DATE: June 4, 2008

Resolution No.12862

Repeal of OPL 111

File By: City of Fresno Planning and  
Development Department

Action: Recommend Denial

**Recording Requested by:**  
City Clerk, Fresno, California  
No Fee-Govt. Code 6103

**Return to City Clerk, Fresno**

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Space above this line reserved for Fresno County Recorder's Office

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO  
PROPOSED AND INITIATED BY \_\_\_\_\_  
MOVED BY \_\_\_\_\_ SECONDED BY \_\_\_\_\_

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, REPEALING THE  
OFFICIAL PLAN LINE FOR WEST GETTYSBURG AVENUE BETWEEN  
NORTH GRANTLAND AVENUE AND NORTH GARFIELD AVENUE

WHEREAS, by Ordinance No. 87-64, the Council of the City of Fresno adopted an Official Plan  
Line (OPL) for West Gettysburg Avenue between North Motel Drive and North Garfield Avenue; and,

WHEREAS, the Planning and Development Department now desires to repeal a portion of that  
OPL; and,

WHEREAS, the Director of the Planning and Development Department initiated the repeal of  
the OPL; and,

WHEREAS, a mitigated negative declaration for Environmental Assessment No. R-07-12, T-  
5864, C-07-252 was issued on January 30, 2008 and approved by the City Council on March 20,  
2008; and,

WHEREAS, the Initial Study conducted for the environmental assessment resulted in the  
finding that the repeal of this OPL would not have a significant adverse impact on the environment;  
and,

WHEREAS, the Fresno City Planning Commission, at its regular meeting of June 4, 2008,  
conducted a noticed public hearing on this OPL repeal and considered all oral and written testimony  
submitted; and,

WHEREAS, the Fresno City Planning Commission then deliberated and adopted Resolution  
No. 12862 recommending that the City Council not repeal of the existing OPL for West Gettysburg  
Avenue between North Grantland Avenue and North Garfield Avenue; and,

WHEREAS, the Fresno City Council, at its regular meeting of 24<sup>th</sup> day of June, 2008 , conducted a notice public hearing on this OPL repeal, considered all oral and written testimony submitted, and received the recommendations of the Planning Commission.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. The Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that the repeal of the current Official Plan Lines of West Gettysburg Avenue between North Grantland Avenue and North Garfield Avenue may have additional significant effects on the environment that were not identified in the 2025 Fresno General Plan Master Environmental Impact Report No. 10130 ("MEIR") and that no new or additional mitigation measures or alternatives may be required. Council further finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete has become available. Accordingly, the Council affirms its previous adoption on March 25, 2008 of the mitigated negative declaration for Environmental Assessment No. R-08-12, T-5864, C-07-252 dated January 30, 2008.

. SECTION 2. The Council of the City of Fresno hereby repeals the current OPL for West Gettysburg Avenue between North Grantland Avenue and North Garfield Avenue by the repeal of said portion of Ordinance No. 87-64.

SECTION 3. Severability. If this action, or any part thereof, is held to be unconstitutional or in violation of the law, it will not affect prior actions to approve Ordinance No. 87-64 for the West Gettysburg Avenue between North Golden State Boulevard and North Garfield Avenues, so long as those actions are not found unconstitutional or in violation of the law.

SECTION 4. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA       )  
COUNTY OF FRESNO       )  
CITY OF FRESNO            )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

REBECCA E. KLISCH  
City Clerk

By \_\_\_\_\_

James Sanchez  
City Attorney

By   
John W. Fox, Deputy City Attorney

Date 6/19/2008

Repeal of OPL 111 for West Gettysburg  
Avenue  
Filed by City of Fresno, Planning and  
Development Department